

Testimony of Natasha Reifenberg
In SUPPORT of SENATE BILL 294: An Act Concerning Housing Protections for Victims of
Family Violence
March 10, 2022
Housing Committee

To Housing Committee Chairs Senator Lopes and Representative Williams, Vice Chairs Senator Anwar and Representative Smith, Ranking Members Senator Cicarella and Representative Joe Polletta, and distinguished members of the Housing Committee: thank you for the opportunity to submit this testimony.

My name is Natasha Reifenberg. I am a New Haven resident and member of the Yale Law School Housing Clinic. In this clinic, I work closely with low-income renters in the New Haven metropolitan area, defending them from evictions and predatory business practices. **I write to express my strong support of H.B. 294 generally, with specific recommendations for how the bill could more fully encapsulate protections for victims of family violence.** Specifically, by protecting victims of sexual assault, deleting “solely” from line 11, and adding to subsection (c) the option for victims to complete HUD Form 5382 for certification of their status as victims.

Prior to attending law school, I worked as a domestic violence caseworker for immigrant women in Indiana. I have worked with victims of sexual assault and family violence for nearly six years; I intend to devote my legal career to advocacy for victims of domestic violence, so that they may find safety, accountability, and healing. Without housing security afforded through laws like X, victims suffer the consequences of the crimes committed against them doubly—both through the direct acts, and in the denial of housing for being a victim of domestic violence. Housing security is at the heart of all efforts to prevent and stop domestic violence. Legal housing protections are an essential means to help victims and their children escape the cycle of violence move towards healing.

(1) The bill presents a step towards reducing the risk of homelessness for adult victims of domestic violence and their children

Housing Protections for Victims Hinder the Cycle of Violence

Housing protections for victims of family violence accomplish two precious life-saving functions: they can prevent both 1) homelessness for the victim and her children, and 2) stop the cycle of intimate-partner violence. Without vital housing protections, homelessness and domestic violence exist in a re-enforcing vicious cycle, where fear of one traps a victim in the other. I saw first hand the impossible choice victims face when they are not protected against discriminatory evictions: homelessness, or move in with the abuser. This situation is only more acute when a victim seeks to protect her child from homelessness. Heartbreakingly, I had one client move in with her abuser over going to a domestic violence shelter, as she was not allowed to stay at the shelter and bring her fourteen year old son with her. Her abuser had cut her off from her family and friends—a common outcome of an abusive relationship. Refusing to abandon her son, she moved in with her ex-boyfriend, beginning the cycle all over, and never

speaking to me again. I sincerely believe legal protections like the ones in S.B. 294 that forbid discriminatory evictions could have been a game-changer for my client and her son. As one client told me once, “without having a safe place to live, I can’t escape him.” I can confirm safe housing was unequivocally the biggest unmet need my clients had. My experiences as an advocate for victims of domestic violence compelled me to participate in the Evictions Track of the Housing Clinic at Yale as soon as I was permitted to. I have no doubt in my mind a law banning discriminatory evictions against victims would have made a world of difference in my advocacy, and in my clients’ odds of escaping their abuser once and for all.

Decades of Research Show Housing Insecurity is Linked to Domestic Violence and Homelessness

Domestic violence is a leading cause of homelessness for adults and children in our country. The statistics on the intersection of domestic violence, housing insecurity, and homeless are staggering. On any given night, the Department of Justice reports that one in four of the nation’s more than 216,000 homeless women are forced to live on the streets because of domestic violence.¹ Domestic violence and a lack of safe housing pushes children into the lifetime trauma of experiencing homelessness: among mothers with children experiencing homelessness, more than 80% had previously experienced intimate-partner violence.²

Connecticut Must Protect Victims from Discrimination in Housing to Address the Overwhelming Need for Safe Housing

Unfortunately, these national statistics surrounding the undeniable link between housing insecurity, domestic violence, and homelessness are reflected in the data for Connecticut specifically. The United States Department of Housing and Urban Development found in a data snapshot that victims of domestic violence accounted for 28.7% of the unsheltered population in Connecticut.³ In September of 2020, all identified domestic programs in Connecticut participated in a survey conducted by the National Network to End Domestic Violence about the services they provided during the 24-hour survey period.⁴ The survey found that 49% of unmet requests for services in one day were for housing or emergency shelter. As one advocate said, “our shelter has decreased capacity, but we’ve seen an increase in the number of requests for shelter This means that we spent over 700% more money on hotels for survivors this year compared to last year.”

Just as domestic violence breeds homelessness in the absence of safe housing, so too does housing insecurity escalate the lethality of existing domestic violence. The Bureau of Justice Statistics estimates women experiencing housing insecurity over a 12-month period had a significantly higher prevalence of physical violence and stalking by an intimate partner in that

¹ Jasinski, J.L., Wesely, J.K., Mustaine, E., & Wright, J.D. (2005). *The Experience of Violence in the Lives of Homeless Women: A Research Report*. Washington, DC: National Institute of Justice, US Department of Justice.

² The United States Conference of Mayors. 2007. *Hunger and Homeless Survey: A Status Report on Hunger and Homelessness in America’s Cities, a 23-City Survey*, December 2007. Washington DC: The United States Conference of Mayors.

³ “POPULATION: PERSONS EXPERIENCING HOMELESSNESS.” *HEALTHCARE AND HOUSING (H2) SYSTEMS INTEGRATION INITIATIVE CONNECTICUT*, HUDEXCHANGE, 2014, <https://www.hudexchange.info/sites/onecpd/assets/File/CT-H2-Data-Snapshot-Populations-in-Need.pdf>.

⁴ National Network to End Domestic Violence (2021). *15th Annual Domestic Violence Counts Report*. Washington, DC. Retrieved from: [NNEDV.org/DVCounts](https://www.nnedv.org/DVCounts).

same period, compared to those who did not experience housing insecurity.⁵ For this reason, the Center for Disease Control emphasized access to safe and stable housing as a protective factor for intimate partner violence perpetration.⁶

The ABA Recommends States Adopt Bills Just like S.B. 294

S.B. 294 will reduce the risk of homelessness for domestic violence victims. **The American Bar Association has urged lawmakers to pass laws exactly like S.B. 294 to combat homelessness** and protect domestic violence victims from housing discrimination. As the report accompanying ABA's recommendation stated, **"Until we stop asking women to choose between being beaten and being able to feed and shelter their children, we cannot expect to rid our society of domestic violence."**⁷

(2) To strengthen S.B. 294, I have three suggestions to make it consistent with federal and Connecticut law.

First, sexual assault victims (defined by section 53a-70b of the general statutes) should be added as a protected class. The federal Violence Against Women Act (VAWA) recognizes victims of sexual assault as a protected group. VAWA extends the same protections in public housing to victims of domestic violence as it does to victims of sexual assault, recognizing the profound trauma and potential discrimination the latter group faces. **Further, sexual assault victims should be added as a protected class to bring this bill in line with Connecticut law.** Under General Statutes § 47a-11(e), the right to terminate a lease extends equally to victims of sexual assault as it does to victims of family violence, making it clear the legislature recognized the need to protect victims of sexual assault in the housing realm. Research also supports this position. In a national survey of victim service providers, one third of respondents reported that a quarter of clients struggle to find or keep housing because of sexual violence.⁸ In a study of rural women who had been sexually assaulted, the women indicated that without housing, other services to address the violence were not likely to be helpful.⁹

Second, the word "solely" should be deleted from line 11. General Statutes § 46a-64(c) prohibits discrimination "because of" protected class, and General Statutes § 47a-11(e) similarly does not place such a high burden of "solely" on victims, instead requiring the belief that it be necessary to vacate the dwelling be "because of" family violence or sexual assault. VAWA similarly states the denial of housing cannot be "on the basis" that the applicant or tenant is or has been a victim. 42 U.S.C § 14043e-11(1).

⁵ Bureau of Justice Statistics, Intimate Partner Violence: Attributes of Victimization, 1993-2011 (Special Report NCJ243300). Retrieved from: <https://www.bjs.gov/content/pub/pdf/ipvav9311.pdf>

⁶ <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/riskprotectivefactors.html>

⁷ American Bar Association, Young Lawyers Division and Commission on Domestic Violence, Report to the House of Delegates, February 2003.

⁸ "Housing and Sexual Violence: Overview of National Survey ." *National Sexual Violence Resource Center*, 2010, https://www.nsvrc.org/sites/default/files/Publications_NSVRC_Reports_Housing-and-sexual-violence-overview-of-national-survey.pdf.

⁹ Logan, TK, Evans, L., Stevenson, E., & Jordan C. E. (2005). Barriers to services for rural and urban survivors of rape. *Journal of Interpersonal Violence*, 20, 591-616. doi:10.1177/0886260504272899

Third, section (c) should be amended to include other avenues for certification by third-parties, specifically HUD Form 5382, in concert with the avenues provided by VAWA. HUD Form 5382 permits is a certification form that is optional to receive VAWA protections from a housing provider when such housing provider requests documentation. HUD Form 5382 allows for third-party documentation by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional from whom the victim has sought assistance related to the violence or the effects of the abuse. The document is signed under penalty of perjury by the professional. **I believe the current certification avenues provided by the bill are much too limited, and will exclude some of the most vulnerable groups of victims (like undocumented victims) who are much less likely to seek help from the police or medical professionals due to precisely the severity of the abuse.**¹⁰ For specifically undocumented victims of domestic violence, the population I have worked with for years, the fear of deportation can be a significant barrier to seeking help from law enforcement. All too often, their abusers have successfully convinced them the victim will be deported if they call the police for help. Further, in high lethality domestic violence situations, in other words, where homicide is more likely to be an outcome of the abuse, victims have been manipulated by their abusers to believing that the police will not come to their aid and that if they ever seek help from law enforcement, the retaliation will be enormous from the abuser.¹¹ **Expanding the certification avenues to other professionals, pursuant to VAWA, remains a reliable third-party verification process that will more accurately reflect the help seeking behavior of victims of high lethality domestic violence.**

Please support S.B. 294. Thank you again for the opportunity to testify today.

If any members have questions about our testimony or would like additional information, please contact me at the emails listed below. I would be more than happy to discuss any part of my testimony.

Sincerely,

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Note: This testimony represents my personal views and does not profess to represent the institutional views of Jerome N. Frank Legal Services Organization, Yale Law School, or Yale University.

¹⁰ Pauline Portillo, Undocumented Crime Victims: Unheard, Unnumbered, and Unprotected, 20 THE SCHOLAR 345 (2018). Available at: <https://commons.stmarytx.edu/thescholar/vol20/iss3/2>

¹¹ TAHIRIH JUST. CTR. ET AL., 2017 ADVOCATE AND LEGAL SERVICE SURVEY REGARDING IMMIGRANT SURVIVORS (2017), <https://www.tahirih.org/wp-content/uploads/2017/05/2017-Advocate-and-Legal-Service-Survey-Key-Findings.pdf> [<https://perma.cc/9WAL-S8A5>]